

REMARKS

Reconsideration of the rejections is respectfully requested in view of the above amendments and the following.

Claim 1 has been amended to recite a combination consisting essentially of the portion to be gripped by the hand of the user and the cradle. Thus, the claim now excludes the structure of the Lee patent and obviates the rejection under 35 USC 102 on the grounds of anticipation over Lee or Cordner. It is further submitted that claim 1 would not have been obvious to one of ordinary skill in the art at the time of the invention.

The Lee device is designed to withdraw fluids and includes a trigger member 90 and trigger flange 85 that are used to move the syringe plunger outwardly to withdraw fluids. It would not have been obvious to one of ordinary skill in the art to eliminate this structure because doing so would ruin the Lee device for its intended purpose.

The device of Cordner operates by providing a hand grip 78 and does not provide structure that allows the user to engage the syringe plunger. Certainly, it would not have been obvious to modify the device of Cordner to result in the claimed invention because doing so would so change the device that it would not work for its intended purpose.

The claims are further patentable over the art of record because nothing suggests the modification of Lee to eliminate the trigger member 90 or the modification of Fukunaga or Wolf to add a handle as recited in the claims. If the proposed combination were to be made, the result would be a device with a trigger that would withdraw fluids, which is not the invention of claim 1. Such a combination would also not have a place to store clips as in claim 2. Finally, Fukunaga and Wolf teach devices that engage the barrels of both syringes, and any combination

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of those structures with Lee would result in a device that engages both barrels, which is not the invention of claim 11.

Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding.

All necessary extensions of time are requested. Please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,
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